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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
YEN, ERIC L	

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/501,857	MAJOR ET AL.	
	Examiner	Art Unit	
	ERIC YEN	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 September 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *10-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. In response to the Office Action mailed 6/2/09, applicant has submitted an amendment filed 9/30/09.

Claims 10 and 15 have been amended.

Response to Arguments

1. Applicant's arguments with respect to claims 10 and 15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 10 and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Rozak et al. (US 5,748,191), hereafter Rozak, in view of Balakrishnan et al. (US 5,233,559), hereafter Balakrishnan.

As per Claim 10, Rozak teaches a voice recognition apparatus comprising a storage having a stored vocabulary of words to be recognized for voice control of a

plurality of programs and other files ("open a file... using a word processing application", col. 1, lines 25-35; "name of the new command to invoke it with a single interaction", col. 2, lines 40-67)

a file directory configured to store a link to each program and file of the plurality of programs and other files (Figure 2; "selected a file menu... select actions relating to files containing documents", col. 3, lines 35-45; Figure 3; "select a file", col. 3, lines 45-50; where Figure 3 shows the directory arrangement of files common to Microsoft Windows)

each link comprising a shortcut pointer to a corresponding one of the plurality of programs and other files, each link having a name separate from the name of that link's corresponding program or other file such that the name of each link can be modified independent of the name of that link's corresponding program or other file ("create command", col. 4, lines 7-21; "name of the new command to invoke it with a single interaction... speaking the name of the new command", col. 2, lines 40-67; Figure 7; "speak the new voice command", col. 4, lines 22-47; "name field reflects the name that the user can speak in order to invoke the new voice command", col. 4, lines 48-57; where Figure 7 shows a way to get to status.doc which generally takes several steps shown in element 865, by saying a single name in 862, and so it constitutes a shortcut which points to a file and the corresponding program [i.e., Word] in, for example, element 861. Also, the name is undefined and could be anything including names that are not "status.doc" and "Word")

wherein a first active partial vocabulary of the voice recognition apparatus is based on the names of the links in the file directory at that time ("speak the new voice command", col. 4, lines 22-47).

Rozak fails to teach where the first active partial vocabulary is automatically generated upon initiation of a voice recognition application, such that changes to the file directory are automatically reflected in the first active partial vocabulary.

Balakrishnan teaches/suggests where the first active partial vocabulary is automatically generated upon initiation of a voice recognition application, such that changes to the file directory are automatically reflected in the first active partial vocabulary ("newly installed", col. 2, lines 13-15; "words or combinations of words, letters or characters... common usage", col. 3, lines 55-65; "installing an application program... extracting from the application program selected commands", col. 5, lines 62-67; "install Application B… inserts these words… into search engine vocabulary… start Huibi", col. 6, lines 22-32; where installing a new program changes the files in a computer's file directory and Balakrishnan generally teaches extracting commands automatically and changing the available command list [automatically generating a first active partial vocabulary] based on "initiating" the voice recognition application's installation function [upon initiation of a voice recognition application, or alternatively the installation can be interpreted as a "voice recognition application" because it is used for facilitating "voice recognition"] and reflects the changes made to the file directory when the new program's files are installed. Also, inserting the new terms generates an

updated [i.e., new] set of recognizable command words based on the new terms and all previous terms [including those pertaining to the files])

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Rozak to include the teaching of Balakrishnan of where the first active partial vocabulary is automatically generated upon initiation of a voice recognition application, such that changes to the file directory are automatically reflected in the first active partial vocabulary, in order to provide greater flexibility in speech-enabled applications, as described by Balakrishnan (col. 2, lines 3-12).

As per Claim 15, Rozak teaches a voice recognition method comprising providing a voice recognition apparatus including a storage having a stored vocabulary of words to be recognized for voice control of a plurality of programs and other files ("open a file… using a word processing application", col. 1, lines 25-35; "name of the new command to invoke it with a single interaction", col. 2, lines 40-67)

And a file directory configured to store a link to each program and file of the plurality of programs and other files (Figure 2; "selected a file menu… select actions relating to files containing documents", col. 3, lines 35-45; Figure 3; "select a file", col. 3, lines 45-50; where Figure 3 shows the directory arrangement of files common to Microsoft Windows)

each link comprising a shortcut pointer to a corresponding one of the plurality of programs and other files, each link having a name separate from the name of that link's

corresponding program or other file such that the name of each link can be modified independent of the name of that link's corresponding program or other file ("create command", col. 4, lines 7-21; "name of the new command to invoke it with a single interaction... speaking the name of the new command", col. 2, lines 40-67; Figure 7; "speak the new voice command", col. 4, lines 22-47; "name field reflects the name that the user can speak in order to invoke the new voice command", col. 4, lines 48-57; where Figure 7 shows a way to get to status.doc which generally takes several steps shown in element 865, by saying a single name in 862, and so it constitutes a shortcut which points to a file and the corresponding program [i.e., Word] in, for example, element 861. Also, the name is undefined and could be anything including names that are not "status.doc" and "Word")

wherein the names of the links form a first active partial vocabulary of the voice recognition apparatus ("speak the new voice command", col. 4, lines 22-47)

and generating a current vocabulary containing at least the names of the links from the file directory when a voice recognizer program configured to perform voice recognition is started ("create command", col. 4, lines 7-21; "name of the new command to invoke it with a single interaction... speaking the name of the new command", col. 2, lines 40-67).

Rozak fails to teach the voice recognition apparatus automatically generating the current vocabulary, and where changes to the file directory are automatically reflected in the first active partial vocabulary.

Balakrishnan teaches the voice recognition apparatus automatically generating the current vocabulary, and where changes to the file directory are automatically reflected in the first active partial vocabulary ("newly installed", col. 2, lines 13-15; "words or combinations of words, letters or characters... common usage", col. 3, lines 55-65; "installing an application program... extracting from the application program selected commands", col. 5, lines 62-67; "install Application B… inserts these words… into search engine vocabulary… start Huibi", col. 6, lines 22-32; where installing a new program changes the files in a computer's file directory and Balakrishnan generally teaches extracting commands automatically and changing the available command list based on the installation [changes to the file directory]. Balakrishan teaches that the installation program performs this and so it is "automatic" [i.e., done by machine])

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Rozak to include the teaching of Balakrishnan of the voice recognition apparatus automatically generating the current vocabulary, and where changes to the file directory are automatically reflected in the first active partial vocabulary, in order to provide greater flexibility in speech-enabled applications, as described by Balakrishnan (col. 2, lines 3-12).

3. Claims 11-14, 16, and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rozak, in view of Balakrishnan.

As per Claim 11, Rozak teaches wherein the names of the links are formed by voice command, and the links define shortcuts to application programs (Figure 7; "speak the new voice command", col. 4, lines 22-47; "name field reflects the name that the user can speak in order to invoke the new voice command", col. 4, lines 48-57; where the opening of a file requires opening the corresponding program, and alternatively Figure 7 shows how to open Word in the first half of element 865 and so it also suggests where the command applies to applications too)

As per Claim 12, Rozak suggests wherein the names of the links are formed by voice commands (Figure 7; "speak the new voice command", col. 4, lines 22-47; "name field reflects the name that the user can speak in order to invoke the new voice command", col. 4, lines 48-57)

and wherein the links define shortcuts to files selected from the group consisting of text documents, voice documents, music files, and video files (Figure 7; "speak the new voice command", col. 4, lines 22-47; "name field reflects the name that the user can speak in order to invoke the new voice command", col. 4, lines 48-57; where Figure 7 and Rozak describe text files, and also generally files in a Microsoft Windows context, which suggests voice documents and music/video files which are commonly stored on computers).

As per Claim 13, Rozak suggests wherein the file directory contains a plurality of sub-directories in at least one subordinate hierarchy level (Figures 2-5; where the

figures show a typical computer directory setup which includes sub-directories [e.g., dos is a subdirectory of c:\]) wherein names of the plurality of sub-directories together with the names of the links form a first active partial vocabulary of the voice recognition apparatus lower down the hierarchy (Figures 5 and 7)

It is obvious in view of Figures 5 and 7, which teach accessing files and programs, that opening a particular folder [i.e., sub-directory] can also be applied to the macro defined in Figure 7, since the files and programs are located in folders/sub-directories.

As per Claim 14, Rozak teaches wherein each program and file of the plurality of programs and other files is assigned from at least one of the plurality of sub-directories a voice command comprising multiple connected parts that contain the names of the links from the file directory and the at least one of the plurality of sub-directories leading to the program or file (Figures 5 and 7; "view status", col. 5, lines 35-44).

It is obvious to further specify folders containing files because it is a common problem that of the thousands/millions of files there exist two that share the same actual file name and Windows operating systems permit the existence of files with the same name as long as they exist in different directories. Therefore, there exists an ambiguity problem specifying the folder along with the filename resolves an ambiguity in the system (i.e., if there are two "status.doc" files, one of ordinary skill in the art would not define two voice commands that require speaking "status").

As per Claim 16, Rozak suggests effecting administration of the vocabulary by managing the file directory and at least one sub-directory without an additional vocabulary management program (Figure 2; where data used in Microsoft Windows can be accessed at their storage point through windows explorer and can be manually deleted).

As per Claims 22-23, Rozak teaches wherein each link comprises a windows shortcut (Figure 7; where the voice commands in Rozak are used in Windows to get to a file accessed by Windows without navigating through Windows menus and inputs).

4. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rozak, in view of Balakrishnan, as applied to Claim 16, above, and further in view of Ganong (5,280,563).

As per Claim 17, Rozak suggests creating sub-directories below the file directory in at least one subordinate hierarchy in order to edit voice commands having multiple connected parts ("create command", col. 4, lines 7-21; "view status", col. 5, lines 35-44; where the created command data must exist somewhere as a file on memory which is typically in a folder in Windows, as shown in Figure 3 [directories] and "view status" has two parts/words)

Rozak, in view of Balakrishnan, fail to teach recognizing the voice commands having multiple connected parts in a multi-stage recognition process, wherein the

course of recognizing a switch is made from a first active partial vocabulary into an at least second active partial vocabulary.

Ganong suggests recognizing the voice commands having multiple connected parts in a multi-stage recognition process, wherein the course of recognizing a switch is made from a first active partial vocabulary into an at least second active partial vocabulary ("vocabulary must of necessity be made up of individual words", col. 1, lines 51-66; where switching from models of individual words in "view status" constitutes switching from the "view" part of the vocabulary to the "status" part of the vocabulary).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Rozak, in view of Balakrishnan to include the teaching of Ganong of recognizing the voice commands having multiple connected parts in a multi-stage recognition process, wherein the course of recognizing a switch is made from a first active partial vocabulary into an at least second active partial vocabulary, in order to not have an excessively large database, as described by Ganong (col. 1, lines 51-66).

As per Claim 18, Rozak teaches recording new words in the vocabulary by effecting a program call via a context menu for a relevant program or file of the plurality of programs and other files (Figure 7; "create command", col. 4, lines 8-21; where the new command, whatever the user defines it to be, is a new word[s] recorded into the computer's vocabulary because it is a new command that can be spoken, and the user's invocation of the command creation is a program call)

As per Claim 19, Rozak suggests removing words from the vocabulary by effecting a program call via a context menu ("creates a voice command", col. 5, lines55-61; Figures 2-5; "status.doc", col. 3, lines 52-57; where creating files/voice commands suggests deleting them because files do not necessarily exist indefinitely and it is obvious to one of ordinary skill in the art to delete data that is obsolete [e.g., the voice command data for a deleted file] or else memory will be inefficiently occupied with useless information that could be better used on other data)

1. Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rozak, in view of Balakrishnan and Ganong, as applied to Claim 17, above, and further in view of Monaco (US 6,434,523).

As per Claims 20-21, Rozak, in view of Balakrishnan and Ganong fail to teach recording new words or removing words from the vocabulary by effecting a "drag'n'drop" procedure.

Monaco teaches recording new words or removing words from the vocabulary by effecting a "drag'n'drop" procedure ("visually representing the grammar...drag-and drop", col. 6, lines 16-32; where a "grammar" is a vocabulary in speech recognition).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Rozak, in view of Balakrishnan and Ganong to include the teaching of Monaco of new words or removing words from the vocabulary by effecting a

"drag'n'drop" procedure, in order to allow users to create or edit grammars for speech recognition quickly and easily, as described by Monaco (col. 1, line 65 - col. 2, line 8).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC YEN whose telephone number is (571)272-4249. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EY 10/24/09
/Richemond Dorvil/
Supervisory Patent Examiner, Art Unit 2626